

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53878 of 2021

Arising Out of PS. Case No.-70 Year-2021 Thana- SONBERSA District- Sitamarhi

1. KASIM QURAI SI @ MD. KASIM QURAI SHI SON OF YUSUF QURISI R/O VILLAGE- MUBARAKPUR, P.S.- SONBARSA, DIST.- SITAMARHI
2. BASAR QURAI SI @ MD. BASAR QURAI SI SON OF KASIM QURAI SI @ MD. KASIM QURAI SI R/O VILLAGE- MUBARAKPUR, P.S.- SONBARSA, DIST.- SITAMARHI
3. AKTAR QURAI SI @ AKHTAR QURAI SI SON OF FARIYAD QURAI SI R/O VILLAGE- MUBARAKPUR, P.S.- SONBARSA, DIST.- SITAMARHI
4. MUSTAQUE QURAI SI SON OF AKATAR QURAI SI @ AKHTAR QURAI SI R/O VILLAGE- MUBARAKPUR, P.S.- SONBARSA, DIST.- SITAMARHI

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Md. Najmul Hodda, Advocate

For the Opposite Party/s : Mr.Kumar Veerendra Narayan, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 11-08-2022 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 341, 323, 324, 307, 354(A), 504, 379, 506 and 34 of the Indian Penal Code.

The informant alleges that the accused persons, including the petitioners, came to his house for putting pressure for withdrawing the case relating to a land dispute, it is next alleged that petitioner no.1 tore the blouse of the mother of the



informant and disrobed her, petitioner no.2 abused her and assaulted her with *farsa* causing injury on her head, further petitioner nos.3 and 4 assaulted her with *lathi* and stick due to which she became unconscious further petitioner no.4 also snatched the golden chain of the informant.

Learned counsel for the petitioners submits that the petitioners are persons with clean antecedent and have been falsely implicated in the present case on account of land dispute, it is further submitted that F.I.R. does not disclose as to which case the petitioners wanted the informant to withdraw thus it is submitted that the allegations are vague and cryptic. Learned counsel next submits that even the injury suffered by the mother of the informant is simple in nature and the allegation of snatching chain and disrobing her are ornamental in nature only to give serious color to the case, it is next submitted that the present F.I.R. has been instituted in order to coerce the side of the petitioners for not pursuing the civil dispute which is going on between the parties. Learned counsel next submits that there is an inordinate delay in instituting the F.I.R. which has been instituted after a delay of nearly one month without any plausible explanation, this amply demonstrates that the petitioners have been falsely implicated by way of afterthought,



admittedly when injuries suffered by the mother of the informant were simple in nature, this amply demonstrates that even injuries were manipulated.

Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioners and submits that from perusal of the injury report, as it has come in the case diary, it manifests that injuries are simple in nature but are on the head.

Considering the submissions made by the learned counsel for the petitioners and the fact that there is an inordinate delay in instituting the F.I.R., the petitioners above-named, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Sonbarsa P.S. Case No. 70 of 2021 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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